Clerk of Court

UNITED STATES DISTRICT COURT

for the

Northern District of Texa				
e Insurance Company)			

The Lincoln National Life Insurance Company v. Cowboy Athletics, Inc. and T. Boone Pickens)) Case No.: 3:10-CV-01)	73-P	
BILL	OF COSTS		
Judgment having been entered in the above entitled action on	03/15/2012 against	Cowboy A	Athletics, Inc. and
the Clerk is requested to tax the following as costs:	Date	T. Boor	ne Pickens
Fees of the Clerk			\$
Fees for service of summons and subpoena			617.00
Fees for printed or electronically recorded transcripts necessaril	y obtained for use in the case		49,301.42
Fees and disbursements for printing			
Fees for witnesses (itemize on page two)			1,345.30
Fees for exemplification and the costs of making copies of any necessarily obtained for use in the case.			37,566.63
Docket fees under 28 U.S.C. 1923			
Costs as shown on Mandate of Court of Appeals			
Compensation of court-appointed experts			
Compensation of interpreters and costs of special interpretation	services under 28 U.S.C. 1828		
		TOTAL	\$88,830.35
SPECIAL NOTE: Attach to your bill an itemization and docum	entation for requested costs in al	l categories.	
Dec	claration		
I declare under penalty of perjury that the foregoing co services for which fees have been charged were actually and ne in the following manner:			
Other	lass mail, postage prepaid		
s/ Attorney: /s/ Clinton D. Howie			
Name of Attorney: Clinton D. Howie			
For: Third-Party Defendant James Glen Name of Claiming Party	n Turner, Jr.	_ Date:	03/23/2012
Taxati	ion of Costs		
Costs are taxed in the amount of		and incl	uded in the judgment.
Ву:	*****		
Clark of Court	Danuty Clark		Data

Deputy Clerk

Date

AO 133 (Rev. 12/09) Bill of Costs - TXND

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)									
	ATTENDANCE		SUBSISTENCE		MILEAGE				
NAME, CITY AND STATE OF RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Total Cost Each Witness		
Theodore Affleck (deposition) - Newington, CT (See Itemization of Bill of Costs for details)		0.00	3	194,36		-638.14	\$832.50		
Steven Balman (deposition) - Tulsa, OK (See Itemization of Bill of Costs for details)	1	0.00	2	131.20		381.60	\$512.80		
							\$0.00		
marting or depote the second plantage and or		Anna 11 11 12 11 11 11 11 11 11 11 11 11 11					\$0.00		
							\$0.00		
							\$0.00		
					TOTAL		\$1,345.30		

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions: RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.